

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. .... 10/823,887  
 Filing Date ..... April 13, 2004  
 Inventor ..... Brian A. Vaartstra  
 Assignee ..... Micron Technology, Inc.  
 Group Art Unit ..... 1722  
 Examiner ..... R. Kunemund  
 Attorney's Docket No. .... MI22-2489  
 Title: .... Aluminum-Containing Material and Atomic Layer Deposition Methods

### TERMINAL DISCLAIMER

I, James E. Lake, residing at Liberty Lake, Washington, represent that I am the attorney of record for Micron Technology, Inc., a corporation of the state of Delaware. Micron Technology, Inc. is the owner of all right, title and interest of this U.S. Patent Application Serial No. 10/823,887, filed April 13, 2004, as evidenced by an assignment recorded May 30, 2002, at Reel 012867, Frames 0480-0483 in the U.S. Patent and Trademark Office.

Micron Technology, Inc. is also the owner of all right, title and interest in U.S. Patent No. 6,730,163 as evidenced by an assignment recorded May 30, 2002, at Reel 012867, Frames 0480-0483, in the U.S. Patent and Trademark Office.

The evidentiary documents have been reviewed, and I certify that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Micron Technology, Inc. hereby disclaims the terminal part of any future patent granted on this U.S. Patent Application Serial No. 10/823,887 which extends beyond the expiration date of U.S. Patent No. 6,730,163, and further hereby agrees that any future patent so granted on this U.S. Patent Application

Serial No. 10/823,887 shall be enforceable only for and during such period that the legal title on the U.S. Patent No. 6,730,163 shall be the same as the legal title to any patent issued from U.S. Patent Application Serial No. 10/823,887. This agreement is to run with any patent granted on the 10/823,887 application and is to be binding upon the grantee of such patent and its successors or assigns.

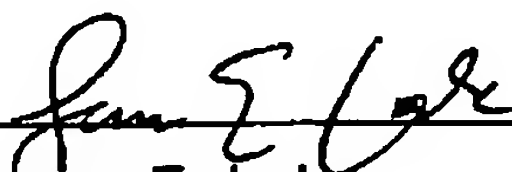
Micron Technology, Inc. does not disclaim any terminal part of any patent granted on this 10/823,887 application prior to the expiration date of the full statutory term of the United States Patent No. 6,730,163 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims canceled by a reexamination certificate, is reissued in any manner or is otherwise terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The fee required by 37 C.F.R. 1.20(d) is submitted herewith. The Commissioner is hereby authorized to charge payment of any additional fees or credit overpayments to Deposit Account No. 23-0925.

The undersigned, James E. Lake, hereby indicates that he is authorized to sign this document on behalf of the assignee, Micron Technology, Inc.

Respectfully submitted,

Dated: 08 Sep 2005

By:   
James E. Lake  
Reg. No. 44,854

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| Effective on 12/08/2004.<br>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).<br><b>FEE TRANSMITTAL</b><br><b>For FY 2005</b> |  | <b>Complete if Known</b> |                   |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27  |  | Application Number       | 10/823,887        |
| <b>TOTAL AMOUNT OF PAYMENT (\$)</b> 130.00  |  | Filing Date              | April 13, 2004    |
|   |  | First Named Inventor     | Brian A. Vaartsra |
|   |  | Examiner Name            | R. Kunemund       |
|   |  | Art Unit                 | 1722              |
|   |  | Attorney Docket No.      | MI22-2489         |

**METHOD OF PAYMENT (check all that apply)**

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**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   | 0              |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    | 0              |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    | 0              |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   | 0              |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     | 0              |

**2. EXCESS CLAIM FEES**

| Fee Description                                    | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues)            | 50       | 25                    |
| Each independent claim over 3 (including Reissues) | 200      | 100                   |
| Multiple dependent claims                          | 360      | 180                   |

**Total Claims** \_\_\_\_\_ **Extra Claims** \_\_\_\_\_ **Fee (\$)** \_\_\_\_\_ **Fee Paid (\$)** \_\_\_\_\_  
 - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = 0  
 HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims** \_\_\_\_\_ **Extra Claims** \_\_\_\_\_ **Fee (\$)** \_\_\_\_\_ **Fee Paid (\$)** \_\_\_\_\_  
 - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = 0  
 HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets        | Extra Sheets       | Number of each additional 50 or fraction thereof | Fee (\$)      | Fee Paid (\$) |
|---------------------|--------------------|--|---------------|---------------|
| _____ - 100 = _____ | _____ / 50 = _____ | _____ (round up to a whole number)               | _____ x _____ | 0             |

**4. OTHER FEE(S)**

|   | Fees Paid (\$) |
|---|----------------|
| Non-English Specification, \$130 fee (no small entity discount) | 0              |
| Other (e.g., late filing surcharge): <u>Terminal Disclaimer</u> | 130.00         |

**SUBMITTED BY**

|                   |                    |                                   |             |                          |
|-------------------|--------------------|-----------------------------------|-------------|--------------------------|
| Signature         | <u>[Signature]</u> | Registration No. (Attorney/Agent) | 44,854      | Telephone (509) 624-4276 |
| Name (Print/Type) | James E. Lake      | Date                              | 08 Sep 2005 |                          |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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